

Law No. 35 of the year 2020

(P. S. 1545); 2017, Law 35

To amend Section 6.14 of Law No. 20-2017, Law of the Puerto Rico Department of Public Safety.

Law No. 35 of April 5, 2017

To amend Section 6.14 of Law 20-2017, as amended, known as the "Law of the Puerto Rico Department of Public Safety", in order to establish that within the acts to be penalized under this article will include those who fail to comply, contempt or disobey in any way an executive order of the Governor of Puerto Rico establishing a curfew.

EXPLANATORY STATEMENT

On 11 March 2020, the World Health Organization declared Coronavirus (COVID-19) a pandemic as a result of the presence of this new disease in more than one hundred countries. The disease has impacted more than 370,000 people worldwide and has claimed the lives of more than 16,000 people as of March 24, reported by the World Health Organization. Similarly, 39 confirmed cases have been reported in Puerto Rico by the same date.

Measures implemented in countries affected by this disease have varied. Some governments have been recognized for their prompt attention and execution of measures to deal with this disease, while others did not act as effectively, affecting a large number of their citizens.

In Puerto Rico, on March 15, 2020, the Governor issued the No. OE-2020-023, providing for measures to be implemented to control the spread of Coronavirus in Puerto Rico. Within the measures set out in that Order, a curfew was established, the closure of government and trade operations. This measure is in line with the recommendations issued by the CDC to minimize contact between people who may be infected and exponential spread is contained.

Despite the order issued, citizens irresponsibly and endangering their lives and that of others, have decided to ignore the measures put in place by the Government of Puerto Rico in the protection of its citizens in order to prevent the spread of the coronavirus. We have seen a media account in the media that approximately 275 arrests and 482 complaints have been made since the curfew began. This figure is unacceptable, especially when the health and safety of our people is at risk.

On the other hand, it is highly reprehensible that malicious people use social media or mass media, to disseminate false information with the intention of creating confusion, panic or collective public hysteria in our village, while a state of emergency or disaster or curfew promulgated by the governor of Puerto Rico is in force through an Executive Order. Such conduct undermines the safety of the people and the social order, endangering the health and life of citizens.

That is why this Legislative Assembly understands it appropriate to amend Law 20-2017, as amended, for the purposes of providing that any person who fails to comply with or disregard an executive order establishing a curfew or decrees a state of emergency or disaster, and any person who transmits or allows transmission by any means, through any social network or mass media, false information with the intention of creating confusion, panic or collective public hysteria, may be penalized in accordance with the provisions of the same.

DECREE BY THE PUERTO RICO LEGISLATIVE ASSEMBLY:

Section 1.- Amends Section 6.14 of Law 20-2017, as amended, known as "Law of the Puerto Rico Department of Public Safety", to read as follows:

"Any person who shall perform any of the following acts shall be punished with a penalty of imprisonment not exceeding six (6) months or a fine not exceeding five thousand (5,000) or both sentences at the discretion of the court:

(a)...

...

(e) Violates, contempt or disobeys in any way an executive order of the Governor of Puerto Rico establishing a curfew or decreeing a state of emergency or disaster.

(f) Transmit or permit by any means, through any social network or mass media, false information with the intention of creating confusion, panic or collective public hysteria, with respect to any proclamation or executive order decreeing a state of emergency or disaster or curfew. In the event that the dissemination of false information results in harm to the public purse, or to third parties, or public or private property, exceeding ten thousand (10,000) dollars, or where the conduct results in injury or physical harm, the penalty corresponding to that of a felony shall be imposed in fourth degree."

Section 2.- This Act will become effective immediately after its approval.

